

*Post 9/2/76*  
**Mitchell Cleared  
In Wiretap Lawsuit**

SAN FRANCISCO, Sept. 1 (UPD)—Former Attorney General John Mitchell was excused Tuesday from an illegal wiretapping charge brought in a civil suit 18 months ago.

Attorney Terence (Kayo) Hallinan claimed in the suit that a wiretap on his phone in 1969 and 1970 violated his constitutional rights. He said the phone was tapped in the interest of domestic security and was not authorized under a warrant.

In awarding a summary judgment to Mitchell, U.S. District Court Judge Robert H. Schnacke said the point of law at issue was established in a 1972 decision and it would be "grossly unfair" to apply the decision retroactively.